

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

FRASER ET AL.,
Plaintiff,

v.

Case No. 3:22-cv-410

BUREAU OF ALCOHOL, TOBACCO,
AND FIREARMS, ET AL.,
Defendant.

ORDER

This matter is before the Court on the DEFENDANT'S MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT (ECF No. 21) and PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT (ECF No. 28). Having studied the briefing, the Court is of the view that the parties do not provide adequate historical information that this Court requires to fully evaluate the matters before it. It is hereby ORDERED that the parties shall file supplemental authority including:

(1) The laws governing militias in each state in effect on June 8, 1789; and

(2) Any changes to state militia laws between January 1, 1784 and December 15, 1791.


The supplemental authority shall be filed according to the following schedule:

(A) On February 3, 2023, the Government shall file a table detailing the requested laws and citations. The Government shall also attach full and complete copies of each of the original statutes; and

(B) On February 10, 2023, the Plaintiffs shall file either a stipulation to the Government's historical sources or additional supplemental authority.

In no way does this ORDER prevent the Court from conducting its own, additional historical research on these topics.

It is SO ORDERED.

_____/s/ 
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: January 25, 2023